IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 7TH NOVEMBER 2007 / 16TH KARTHIKA 1929

WP(C).No. 30659 of 2007(Y)

PETITIONER:

RATNAMANI, D/O NARAYANAN,
RESIDING IN UNNIKULAM VILLAGE IN KUNDOOR,
KOYILANDI TALUK.

BY ADV. SMT.PRABHA R.MENON
SRI.M.KRISHNAKUMAR

RESPONDENTS:
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1. **THE DISTRICT COLLECTOR, KOZHIKODE.**

2. **THE TAHSILDAR,KOYILANDY.**

3. **VILLAGE OFFICER, SIVAPURAM.**

4. **THE SUB DIVISIONAL MAGISTRATE, KOZHIKODE.**

5. **KAMALAKSHY AMMA, D/O KARTHIAYANI,**
RESIDING IN MADATHIL VEEDU, MAKKADA AMSOM,
KOZHIKODE TALUK, KOZHIKODE DISTRICT.

6. **REVENUE DIVISIONAL OFFICER, KOZHIKODE.**

7. **STATE OF KERALA, REPRESENTED BY THE CHIEF**
SECRETARY, SECRETARIAT, THIRUVANANTHAPURAM.

BY ADV. SRI.V.V.SURENDRAN, R5
SRI.P.A.HARISH, R5

GOVT. PLEADER, SRI. M.R. SABU

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 07/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC NO.30659/07

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1: A TRUE COPY OF THE ORDER IN IA 753/04 IN 751/04 IN OS 24/57 OF SUB COURT, VADAKARA DATED 8.4.2005.

EXT.P2: A TRUE COPY OF THE JUDGMENT IN WP(C) NO.17092/07 DT.5.6.07.

EXT.P3: A TRUE COPY OF THE ORDER DT.4.8.2007.

EXT.P4: A TRUE COPY OF THE ORDER DT.6.8.2007.

EXT.P5: A TRUE COPY OF THE COMMISSIONERS REPORT DT.18.2.2006.

EXT.P6: A TRUE COPY OF THE COMMISSIONERS PLAN

EXHIBIT OF R5

EXT.R5(a): TRUE COPY OF THE ORDER PASSED BY THE LEARNED SUB JUDGE DT.7.4.06.

//TRUE COPY//

ANTONY DOMINIC, J.
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W.P.(C) NO. 30659 OF 2007 Y
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Dated this the 7th day of November, 2007

J U D G M E N T

I am not inclined to quash Ext.P3 or direct that a possession certificate be issued to the petitioner, since the parties are in litigation before the Civil Court. Now that the parties are governed by Ext.R5(a), I direct that the petitioner may in terms of the final decree, pay court fee with respect to plot G1, G2 and G3 in Ext.P6 in OS 24 of 1957 and get delivery of the plots earmarked in the final decree. Once delivery is so obtained, the Tahsildar concerned shall consider the application of the petitioner for possession certificate.

With the above directions, the writ petition is disposed of.

ANTONY DOMINIC, JUDGE.

Rp